

Report to the Planning and Zoning Commission

Prepared by the Maricopa County Planning and Development Department

Case: Z2004119 Verizon Wireless – PHO Norton’s Corner

Meeting Date: March 10, 2005

Agenda Item: 10

Supervisor District: 1

Applicant: Verizon Wireless, LLC

Property Owner: Bonita Vista Mobile Home Park, LP

Request: Special Use Permit (SUP) in the R-5 zoning district

Proposed Use: Wireless communications facility

Site Location: Near the southwest corner of Gilbert Rd. & Chandler Blvd. (in the east Chandler area)

Site Size: Approx. 0.03 ac. (1,092 sq. ft.) on an approx. 15.64 gross ac. parcel

County Island Status: Class 1 (City of Chandler)

Summary of Conformance with Adopted Plans:

County Plan: The Comprehensive Plan designates this area as within a General Plan Development Area, referring to the General Plan of the applicable city or town, in this case the City of Chandler

City/Town Plan: The City of Chandler General Plan calls for Low Density Residential Uses (2.5-3.5 d.u./ac.). Wireless communications facilities are not specifically mentioned in the plan.

Support/Opposition: None known

Recommendation: **Approve** with stipulations

Description of Proposal:

1. This is a request for a Special Use Permit (SUP) for a wireless communications facility or "monopalm" and associated equipment shelter in the R-5 zoning district. The site, approx. 0.03 ac. (1,092 sq. ft.), is located on a 15.64 gross ac. parcel south of Chandler Blvd. & west of Gilbert Rd. in the east Chandler area.
2. The parent parcel is currently developed as the Hacienda Solano Mobile Home and RV Park, which has been in existence since prior to the adoption of the current MCZO. The parent parcel has approx. 510' of frontage along Gilbert Rd. on the east side of the property, and a depth of approx. 1,272' to the west. The units (approx. 150) in the mobile home park are fairly uniformly distributed throughout the site, and the site also includes a clubhouse facility near the east side of the property. An asphalt parking lot consisting of one row of approx. ten (10) parking spaces is located on the south side of the clubhouse, and is accessible from Gilbert Rd. by a 28'-3" wide asphalt driveway that serves as the main access to the mobile home park. Approx. five (5) RV parking spaces are currently located along the west side of the clubhouse. The mobile home park is landscaped with a number of palm trees located throughout the site.
3. The 1,092 sq. ft. SUP area is located immediately to the west of the clubhouse facility, and would replace three of the existing RV parking spaces. The applicant proposes a 54' tall monopole in the SUP area, which would be designed to look like a Mexican Fan Palm tree by adding fabricated palm fronds that would add additional height up to 60'. The "monopalm," as it is also known, would be equipped with six 8' panel antennas attached at 50' above grade, which would be concealed by the fabricated palm fronds. The applicant proposes limited co-location, in order to preserve the effect of the disguised "monopalm." It would be possible to add an additional flush-mounted or canister antenna without losing the effect, provided that it was painted to match the colorization of the fabricated bark. However, the applicant would not accommodate equipment from other carriers within their proposed equipment shelter and, therefore, any future carriers wishing to co-locate would need to expand the SUP area, after negotiating a new lease with the owner.
4. The "monopalm" would be placed adjacent to a proposed 12' wide x 20' long x 12'-8" high equipment shelter, surrounded by an 8' tall masonry wall with decorative columns at each corner that would enclose a 18'-8" wide x 45'-6" long area within the SUP area. In addition, one 8' wide and one 4' wide ornamental gate, both 8' in height, would provide access to the site through the western side of the wall. Both the shelter and the wall would be designed to match the architecture and color scheme of the existing clubhouse building. Connections from the antennas to equipment shelter would also be included with the facility.
5. The applicant proposes using the existing 9' x 18' parking space closest to the SUP area in the parking area south of the clubhouse as the required technician parking space (a parking agreement will be required per stipulation). The SUP

site will be accessed via a 12' wide access easement from Gilbert Road (a recorded access easement will be required per stipulation).

Background:

6. The Hacienda Solano Mobile Home and RV Park was originally approved in 1958 and, therefore, is considered a legally non-conforming use because it was existing prior to the current Maricopa County Zoning Ordinance becoming effective (May 29, 1969). However, since the proposed wireless communications facility is a new use on the site it must meet the current regulations, including approval of a SUP.

Analysis of Conformance with Adopted Plans:

7. **Maricopa County "Eye to the Future 2020" Comprehensive Plan:** The Comprehensive Plan designates the site as being located within a General Plan Development Area (GPDA), which is an area likely to be annexed into a city or town in the future. In this instance, the applicable general plan is the City of Chandler General Plan. The County will take into consideration a municipal general plan if it has been updated within the last five years and was done so with the participation of County residents. The City of Chandler General Plan meets these criteria, and was most recently updated in March 2002.
8. **City of Chandler General Plan:** The General Plan designates the site for Low Density ("Single Family") Residential Uses (2.5-3.5 d.u./ac.). The Plan does not specifically address wireless communications facilities. The only related objective stated in the Plan is to "maintain low profile building forms" with a policy to "implement height restrictions and architectural guidelines to promote environmental excellence and innovation in site and building design." As such, it is unclear whether the use is consistent with the Plan, but an argument could be made that a "monopalm" is an innovative site and building design with a low profile.

Existing On-Site and Adjacent Zoning:

9. On-site: R-5
North: R-5, then C-3, Rural-43 (County) and AG-1 (Chandler)
East: R-5, then C-2 (Gilbert)
South: R-5, then Rural-43 (with SUP for a Mobile Home Park)
West: R-5, then SF 8.5 (Chandler)

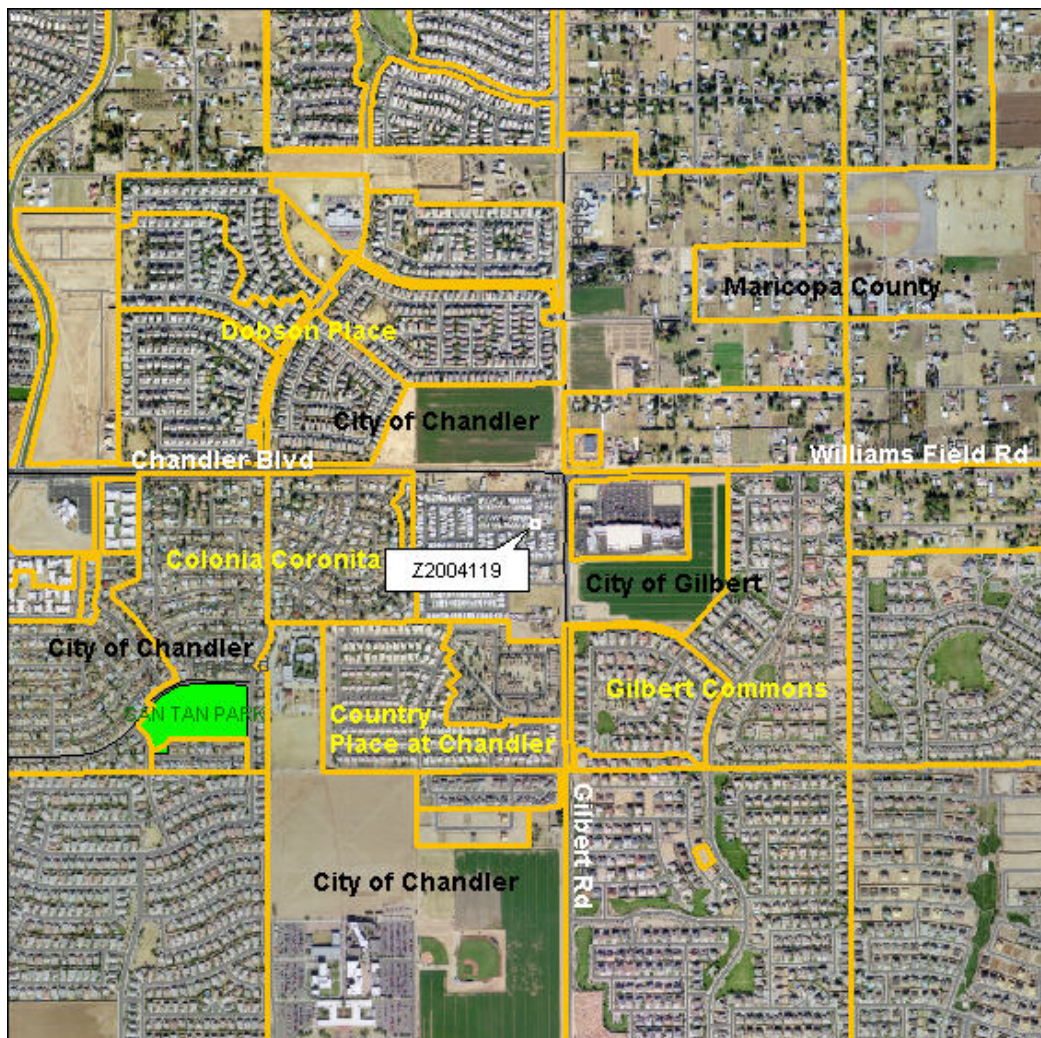
Existing On-Site and Adjacent Land Use:

10. On-site: Residential (mobile home park)
North: Residential (mobile home park), then commercial
East: Residential (mobile home park), then commercial
South: Residential (mobile home park)

West: Residential (mobile home park, then single-family residences)

Area Land Use Analysis:

11. The site is located in a small County Island surrounded by the City of Chandler to the north, west and south and the Town of Gilbert to the east. The SUP area is completely surrounded by R-5 zoning and a mobile home park. The surrounding area appears to be experiencing significant single-family residential development with commercial development at the northeast and southeast corners of Gilbert Rd. and Chandler Blvd. There are still some larger residential lots in the County area to the northeast of the Gilbert Rd. and Chandler Blvd. intersection, as well as a few parcels that remain vacant agricultural fields.
12. The following aerial photograph shows the area's pattern of development.



13. The following aerial photograph shows the location of the SUP area on the parent parcel.



14. The site is located in a Class I County Island that is surrounded by the City of Chandler. The island is expected to be annexed into the City of Chandler some time in the future and is part of the area known as Norton's Corner.

Adjacent Road Status:

15. **Gilbert Rd.:** County maintained, 2-lane paved N/S section line arterial road within an existing 65' half-width right-of-way (ROW). The applicant is not required to dedicate additional ROW. However, the access driveway for the SUP site needs to be paved within the ROW.

16. **Chandler Blvd.:** County maintained, 4-lane paved E/W section line arterial road approx. 480 ft. north of the site, but not directly adjacent to it. The road becomes Williams Field Rd. to the east of Gilbert Rd.

Utilities and Services:

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| 17. | Water: | None required |
| 18. | Wastewater: | None required |
| 19. | Electric: | Salt River Project (SRP) |
| 20. | Telephone: | Qwest Communications |
| 21. | Fire Protection: | Chandler Fire Department |
| 22. | Police Protection: | Chandler Police Department |
| 23. | Public Schools: | Chandler Unified School District |
| 24. | Refuse Collection: | None required |
| 25. | Natural Gas: | None required |
| 26. | Irrigation: | None required |

Reviewing Agencies: (The request was reviewed at a December 21, 2004 TAC meeting.)

27. **Environmental Services Department (MCESD):** No objection (see attached memo.)
28. **Drainage Review:** No objection (see the attached memo.)
29. **Maricopa Department of Transportation (MCDOT):** MCDOT has requested that the applicant ensure the access driveway from Gilbert Rd. be paved within the County ROW.
30. **Other agencies:** The case was also routed to City of Chandler, Town of Gilbert, Chandler Fire Department, State Historic Preservation Office, and Chandler Unified School District. To date, no comments were received from these entities.

Discussion and Evaluation:

31. The subject request is for a SUP for a wireless community facility ("monopalm" with associated equipment shelter). The 0.03 ac. site is located near the southwest corner of Gilbert Rd. and Chandler Blvd. in the east Chandler area. The "monopalm" design is a stealth way of making a necessary, but usually non-aesthetically appealing, structure blend better into the surrounding environment. The applicant has provided photos with the narrative report of a similar "monopalm" that includes a second carrier's flush-mounted antenna in order to show how the proposed structure would look. Even with the additional antennas, the design is less noticeable than a typical, non-stealth monopole.
32. At present, the site is developed as a mobile home park, and staff believes the visual impact of the "monopalm" should be minimal. The applicant describes in the narrative report attempts to locate a wireless communications facility at a commercial shopping center across the street. However, those efforts were not successful and the specific location needed to serve this coverage area limits the range of potential sites.
33. Staff believes the applicant's proposal will facilitate or encourage co-location, even if an expansion of the SUP will be necessary. Although it will be limited by the need to remain stealth in nature, at least one, or possibly two, other wireless providers with limited equipment needs potentially will be able to use the site. There is another monopole nearby which is already full, underscoring the demand for this type of facility in the area.
34. The current use of the site as a mobile home park, which has been in place since prior to 1969 and is expected to remain in place, will provide a stable location for the proposed wireless communication facility. As such, Staff is recommending a period of 25 years for the SUP, the potential length of the applicant's lease. This amount of time also coincides with County record retention policy. A status report will be required after a period of five (5) years and again at twenty (20) years, which will allow staff the opportunity to ensure compliance with stipulations.
35. Staff recommends stipulations addressing the provision of a recorded access easement to provide legal access to the SUP site and a parking agreement for use of the identified technician parking space. The currently proposed access easement does not align with the access gates to the equipment shelter and does not include the technician parking space.
36. Otherwise, staff is supportive of the proposal, reviewing agencies have no objections, and there is no known opposition for the project.

Recommendation: (Z2004119)

37. Staff recommends **approval** of this request for the following reasons:

- Reviewing agencies have no objections
- There is no public opposition to the request
- The proposal could accommodate co-location
- The stealth design of the monopole will help the structure blend in with the surrounding environment
- The applicant demonstrated efforts to locate the use in a non-residential zoning district

Subject to the following stipulations:

- a. Development and use of the site shall be in substantial conformance with the site plan entitled "PHO Norton's Corner (2) – 15606 S. Gilbert Road Chandler, Arizona 85225" consisting of two (2) full-sized sheets prepared by L/D Architects, dated revised January 7, 2005, stamped by the architect January 7, 2004, and stamped received January 20, 2005, except as modified by the following stipulations.
- b. Development and use of the site shall be in conformance with the narrative report entitled "Project Name: Verizon Wireless - PHO Norton's Corner Special Use Permit Application – Z2004119 Narrative Report" consisting of five (5) pages, dated revised January 17, 2005 and stamped received January 20, 2005, except as modified by the following stipulations.
- c. The height of the monopole, including any attachments, shall be limited to 60'.
- d. The applicant shall obtain the necessary permits prior to the commencement of any site improvements. Prior to any construction or placement of any equipment, the applicant shall obtain the necessary construction permits under currently applicable building codes from the Maricopa County Planning and Development Department for all structures on the Special Use Permit site.
- e. The applicant shall provide evidence to MCDOT that the access driveway to the site is paved in the County right-of-way on Gilbert Rd., or provide the necessary paving, prior to obtaining the required building permits.
- f. Prior to approval of building permits, an access easement over the parent parcel shall be required to be established by the applicant for legal access to the Special Use Permit site and to include the required technician

parking space as designated on the site plan. Prior to approval of building permits, the applicant shall provide an agreement with the property owner for use of the technician parking space as designated on the site plan.

- g. This Special Use Permit shall expire twenty-five (25) years from the date of approval by the Board of Supervisors, or upon expiration of the lease to the applicant, or upon termination of the use, whichever occurs first. All of the site improvements, including the monopole, shall be removed within 60 days of such termination or expiration.
- h. The applicant shall submit a written report outlining the status of the development at the end of five (5) and twenty (20) years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations. The status report shall include photographs of the facility.
- i. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Maricopa County Planning and Development Department or the Flood Control District of Maricopa County may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- j. Major changes to this Special Use Permit shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department. Major changes to the Special Use Permit may require a new Citizen Participation Process as determined by the Planning and Development Department.
- k. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Commission to take action in accordance with the Maricopa County Zoning Ordinance.

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Attachments:

Case map
Vicinity map
Site plan (reduced, 8 1/2" x 11")
Narrative Report (5 pages)
MCDOT comment (memo)
MCESD comments (memo)
Drainage Review comments (memo)

Enclosure:

Site plan (2 pages)